

MEMO ENDORSED

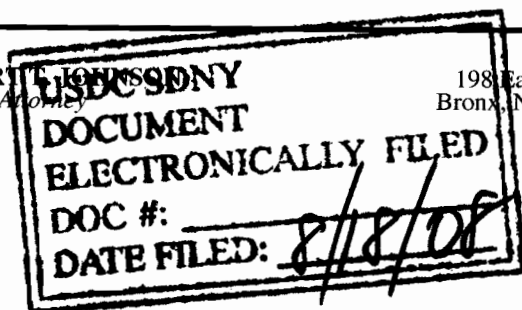


OFFICE OF THE DISTRICT ATTORNEY, Bronx County

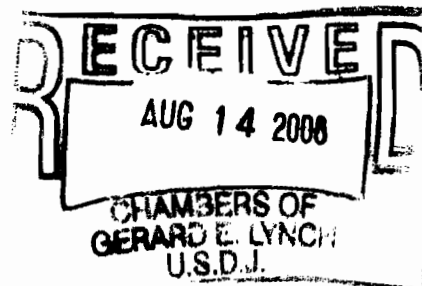
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August 12, 2008



The Honorable Gerard E. Lynch
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 910
New York, New York 10007

Re: Randy Soto v. Walsh
08 Civ. 5283 (GEL)

Your Honor:

I have been assigned to respond to the above-referenced petition for a writ of *habeas corpus*. Pursuant to Your Honor's Order filed on July 9, 2008, respondent's answer is due on September 5, 2008. I am, however, writing to request a three-month extension to file a response.

Since being assigned this case, I have filed responses to two direct appeals to the Appellate Division, First Department: People v. Pablo Lacayo and People v. Randy Miles. I am currently working on responses for three additional direct appeals to the Appellate Division, First Department: People v. Samuel Lewis, People v. Sal Merante, and People v. Troy Logan. I am also working on a response to a *coram nobis* to the Appellate Division, First Department, People v. Phillip Frieson.

The file's length, the case's complexity, my other assignments, and the fact that I am getting married in October, and will be out of the office from October 6, 2008 through October 24, 2008, result in this request for an extension of time.

Therefore, I respectfully request an extension of ninety-one (91) days from the ordered reply date of Friday, September 5, 2008, to Friday, December 5, 2008, to fully answer the petition.

* *Granted, but there will be no further extensions.*

*SO ORDERED

Gerard E. Lynch

GERARD E. LYNCH, U.S.D.J.

8/18/08

No previous extensions have been sought or obtained for responding to the petition, and I have neither sought nor obtained the consent of my incarcerated adversary for this extension.

Thank you for your consideration in this matter.

Respectfully,

A handwritten signature in black ink, appearing to read 'Nikki D. Faldman', with a stylized flourish at the end.

NIKKI D. FALDMAN

Assistant District Attorney
Appeals Bureau

cc: Randy Soto
DIN # 01-A-3858
Sullivan Correctional Facility
PO Box 116, Riverside Drive
Fallsburg, New York 12733-0116